

Decision No. 41324

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WALTER C. ROFF AND R. C. LYMAN, a)
partnership, doing business as THE)
BURNEY TRANSPORTATION CO., for autho-)
rity to transfer and sell, and WALTER)
C. ROFF, doing business as THE BURNEY)
TRANSPORTATION CO., to acquire the)
operative rights, and the equipment)
used in connection with an automobile)
freight line for the transportation)
of Lumber and Forest Products as a)
common carrier for compensation from)
Canyon Creek and Burney, California,)
to Pondsosa Upper Yard and Nubieber,)
California, Application No. 24110,)
Decision No. 34185.)

Application No. 29101

O P I N I O N

In this application, as amended, the Commission is requested to authorize Walter C. Roff to acquire sole ownership of a highway common carrier operative right owned by the partnership of Walter C. Roff and R. C. Lyman acquired by them pursuant to the authority of the Commission's Decision No. 41059 in Application No. 28877. In general the operative authority authorizes the transportation of lumber and lumber products from Canyon Creek and Burney to Pondsosa Upper Yard and Nubieber.

By the terms of an agreement attached to the amended application as Exhibit "1", applicant Roff has paid to applicant Lyman the sum of \$14,250 in cash as payment in full for the interest of applicant Lyman in and to the operative right involved and automotive equipment, supplies, real estate and shop equipment owned by the partnership. According to Exhibit "A" attached to the application \$500 of the purchase price represents one-half of the value allocated to the operative right and the remainder represents one-half of the value of the real estate, automotive equipment, supplies and shop equipment.

The application states that there has been no cessation

of the authorized operation since its establishment. Applicant Roff will continue the service under the same rates presently in effect.

After full consideration we find that the public interest would not be adversely affected by approval of the transfer of the operative rights and properties as proposed, and that a public hearing is not necessary. Accordingly the application will be granted. However, the action taken herein shall not be construed to be a finding of the value of the properties involved.

O R D E R

An application having been filed requesting authority to transfer operative rights and properties and the Commission now being fully informed in the premises,

IT IS ORDERED:

(1) That on or after the effective date hereof and on or before May 1, 1948, Walter C. Roff and R. C. Lyman, partners, may transfer to Walter C. Roff and the latter may acquire from the former, the operative rights and properties referred to in the foregoing opinion, and thereafter conduct operations pursuant to said operative rights.

(2) That appropriate tariffs and time tables as required by General Orders Nos. 80 and 93-A shall be filed in triplicate on or after the effective date hereof, to be made effective on not less than 5 days' notice to the Commission and the public.

(3) That within 30 days after the consummation of the transfer herein authorized, Walter C. Roff shall notify the Commission, in writing, of that fact, and shall within said period file with the

Commission a true copy of any bill of sale or other instrument of transfer which may have been executed to effect the transfer authorized.

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California, this 16th day of March, 1948.

R. F. [Signature]
Justice F. [Signature]
[Signature]
[Signature]
[Signature]
 COMMISSIONERS